

REMARKS

Applicant is in receipt of the Office Action mailed November 22, 2004. Applicant cancels claims 1-59 and 62-83 without prejudice or disclaimer to the subject matter recited therein. Applicant respectfully submits new claims 84-168 to more fully and completely claim Applicant's invention. Reconsideration of the present case is earnestly requested in light of the following remarks.

Applicant respectfully thanks Examiner for the Interview of February 17, 2005. In this Interview, Applicant and Examiner discussed the current restrictions. Applicant and Examiner also discussed Applicant submitting new claims reciting network embodiments and/or audio compression embodiments. Examiner stated that new claims reciting network embodiments and/or audio compression embodiments would require a new search.

Applicant respectfully submits, herewith, a copy of the Power of Attorney filed December 11, 2003 and a copy of the Return Postcard stamped by the mail room of the U.S. Patent and Trademark Office on December 15, 2003.

Claim Objections

Claims 37, 39, 51, and 53 were objected to for various informalities.

As noted above, Applicant has canceled claims 37, 39, 51, and 53 without prejudice or disclaimer to the subject matter recited therein.

Non-identifiable References

Examiner submitted in the Office Action mailed November 22, 2004 that the references to Jo, Wyler and DorEl were cited on the accompanying 892 form with the Office Action mailed May 7, 2001. Applicant is not in receipt of an accompanying 892 form with the Office Action mailed May 7, 2001.

Examiner submitted in the Office Action that a duplicate copy was attached to the Office Action mailed November 22, 2004. Applicant is not in receipt of the duplicate copy

of an accompanying 892 form which includes the references to Jo, Wyler and DorEl with the Office Action mailed November 22, 2004.

Examiner relies upon Jo and Wyler in the Office Action mailed November 22, 2004. However, Applicant never received the 892 form referencing Jo, Wyler and DorEl.

Applicant respectfully requests Examiner to resend a duplicate of the 892 form which accompanied the Office Action mailed May 7, 2001. Applicant thanks Examiner in advance.

§112 Rejections

Claims 45-59 and 62-65 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

As noted above, Applicant has canceled claims 45-59 and 62-65 without prejudice or disclaimer to the subject matter recited therein.

Applicant respectfully submits that claims 84-168 are allowable.

Applicant respectfully requests removal of the §112 rejections.

§102 Rejections

Claims 1, 37, 39, 41, 42, 45, 46, 51, 53, 54, 56, 57 and 75-82 were rejected under 35 U.S.C. 102(e) as being anticipated by Ward (U.S. Patent No. 5,963,530).

As noted above, Applicant has canceled claims 1, 37, 39, 41, 42, 45, 46, 51, 53, 54, 56, 57 and 75-82 without prejudice or disclaimer to the subject matter recited therein.

Applicant respectfully submits that Ward nowhere teaches or suggests: “. . .a non-volatile random-access storage system comprised in the chassis for storing a plurality of compressed musical pieces, wherein each of the plurality of compressed musical pieces comprises compress audio information, wherein the non-volatile random-access storage system is substantially permanently affixed inside the chassis and is not readily removable

from the chassis. . .”, “. . .a decompression system coupled to the non-volatile random-access storage system and to the at least one audio output, wherein the decompression system is operable to receive compressed audio information from the non-volatile random-access storage system and is further operable to decompress the compressed audio information to produce uncompressed audio information, wherein the digital decompression system provides the uncompressed audio information to the at least one audio output. . .”, and “. . .wherein the audio entertainment system has an appearance which approximates standard audio equipment” as recited in claim 84.

Thus, Applicant respectfully submits that claim 84 is patentably distinguished over Ward. Accordingly, Applicant respectfully submits that claim 84 and those dependent therefrom are allowable.

Applicant respectfully submits that Ward nowhere teaches or suggests: “. . . a non-volatile random-access storage system coupled to the processor and comprised in the chassis, wherein the non-volatile random-access storage system is substantially permanently affixed inside the chassis and is not readily removable from the chassis. . .”, “. . .a network interface coupled to the processor and operable to be coupled to a network. . .”, “. . .a memory medium comprised in the chassis and coupled to the processor, wherein the memory medium stores program instructions executable by the processor to: receive compressed audio information from the network; store the compressed audio information in the non-volatile random-access storage system; access the compressed audio information from the non-volatile random-access storage system; uncompress the compressed audio information, thereby generating uncompressed audio information; and output the uncompressed audio information through the at least one audio output. . .”, and “. . .wherein the system has an appearance which approximates standard audio equipment” as recited by claim 135.

Thus, Applicant respectfully submits that claim 135 is patentably distinguished over Ward. Accordingly, Applicant respectfully submits that claim 135 and those dependent therefrom are allowable.

Applicant respectfully submits that Ward nowhere teaches or suggests: “. . .a non-volatile random-access storage system coupled to the processor and comprised in the chassis, wherein the non-volatile random-access storage system is substantially permanently affixed inside the chassis and is not readily removable from the chassis. . .”, “. . .a receiver coupled to the processor and operable to receive a carrier wave, wherein the carrier wave comprises digital audio information. . .”, “. . . a memory medium comprised in the chassis and coupled to the processor, wherein the memory medium stores program instructions executable by the processor to: receive the digital audio information from the receiver; store the digital audio information in the non-volatile random-access storage system; access the digital audio information from the non-volatile random-access storage system; transform the digital audio information into analog audio information; and output the analog audio information through the at least one audio output. . .”, and “. . .wherein the system has an appearance which approximates standard audio equipment” as recited by claim 154.

Thus, Applicant respectfully submits that claim 154 is patentably distinguished over Ward. Accordingly, Applicant respectfully submits that claim 154 and those dependent therefrom are allowable.

Applicant respectfully submits that Ward nowhere teaches or suggests: “. . .a non-volatile random-access storage system coupled to the processor and comprised in the chassis, wherein the non-volatile random-access storage system is substantially permanently affixed inside the chassis and is not readily removable from the chassis. . .”, “. . .a network interface coupled to the processor and operable to be coupled to a network. . .”, “. . .a memory medium comprised in the chassis and coupled to the processor, wherein the memory medium stores program instructions executable by the processor to: receive audio information from the network, wherein the audio information comprises a MPEG codec; store the audio information in the non-volatile random-access storage system; access the audio information from the non-volatile random-access storage system; decode the audio information, thereby producing analog audio information; and output the analog audio

information through the at least one audio output. . .”, and “. . .wherein the system has an appearance which approximates standard audio equipment” as recited by claim 161.

Thus, Applicant respectfully submits that claim 161 is patentably distinguished over Ward. Accordingly, Applicant respectfully submits that claim 161 and those dependent therefrom are allowable.

Applicant respectfully submits that Ward nowhere teaches or suggests:

A system for distributing audio products, comprising:

a processor;

a storage system coupled to the processor, wherein the storage system stores a plurality of audio products, wherein each audio product comprises compressed audio information;

a network interface coupled to the processor, wherein the network interface is operable to be coupled to a network;

a memory medium coupled to the processor, wherein the memory medium comprises program instruction executable by the processor to:

receive audio product selection information indicating a selected audio product of the plurality of audio products through the network interface;

receive payment information through the network interface;

transmit the selected audio product through the network interface.

as recited by claim 164.

Thus, Applicant respectfully submits that claim 164 is patentably distinguished over Ward. Accordingly, Applicant respectfully submits that claim 164 and those dependent therefrom are allowable.

Applicant respectfully requests removal of the §102 rejections. Applicant also respectfully submits that the independent claims are nonobvious and are allowable as well based on the arguments above.

§103 Rejections

Claims 1, 37, 39, 41, 42, 45, 46, 51, 53, 54, 56, 57 and 75-82 were rejected under 35 U.S.C. 103(a) as being obvious over Ward further considered with Official Notice.

As noted above, Applicant has canceled claims 1, 37, 39, 41, 42, 45, 46, 51, 53, 54, 56, 57 and 75-82 without prejudice or disclaimer to the subject matter recited therein.

Applicant respectfully submits that the independent claims have been argued to overcome rejections under 35 U.S.C. 102. Applicant respectfully notes: “If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)” as stated in the MPEP §2143.03. Accordingly, Applicant respectfully submits that claims 84-168 are allowable.

Claims 3, 29, and 30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of Yoshida et al. (U.S. Patent No. 5,689,704, hereinafter “Yoshida”).

As noted above, Applicant has canceled claims 3, 29, and 30 without prejudice or disclaimer to the subject matter recited therein.

Claim 35 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of acknowledged prior art.

As noted above, Applicant has canceled claim 35 without prejudice or disclaimer to the subject matter recited therein.

Claim 38 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of Aramaki (U.S. Patent No. 5,638,346).

As noted above, Applicant has canceled claim 38 without prejudice or disclaimer to the subject matter recited therein.

Claim 40 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of Yankowski (U.S. Patent No. 5,751,672).

As noted above, Applicant has canceled claim 40 without prejudice or disclaimer to the subject matter recited therein.

Claim 43 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of “Jo/Wyler”.

As noted above, Applicant has canceled claim 43 without prejudice or disclaimer to the subject matter recited therein.

Claim 44 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of Tanner (U.S. Patent No. 5,992,805).

As noted above, Applicant has canceled claim 44 without prejudice or disclaimer to the subject matter recited therein.

Claims 47, 48, and 49 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of Yoshida.

As noted above, Applicant has canceled claims 47, 48, and 49 without prejudice or disclaimer to the subject matter recited therein.

Claim 50 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of Aramaki.

As noted above, Applicant has canceled claim 50 without prejudice or disclaimer to the subject matter recited therein.

Claim 52 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of Aramaki.

As noted above, Applicant has canceled claim 52 without prejudice or disclaimer to the subject matter recited therein.

Claim 55 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of Yankowski.

As noted above, Applicant has canceled claim 55 without prejudice or disclaimer to the subject matter recited therein.

Claim 58 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of “Jo/Wyler”.

As noted above, Applicant has canceled claim 58 without prejudice or disclaimer to the subject matter recited therein.

Claim 59 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of Tanner.

As noted above, Applicant has canceled claim 59 without prejudice or disclaimer to the subject matter recited therein.

Claims 63-65 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ward consider with Official Notice further in view of Kenwood model VR-209.

As noted above, Applicant has canceled claims 63-65 without prejudice or disclaimer to the subject matter recited therein.

Applicant respectfully requests removal of the §103 rejections.

CONCLUSION

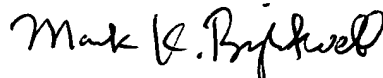
Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5399-00100/JCH.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☒ Notice of Change of Address
- ☒ Power of Attorney (copy)

Respectfully submitted,



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AGENT FOR APPLICANT(S)

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